

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

C.A. NO. 05-11401-MLW

\_\_\_\_\_  
SENECA INSURANCE COMPANY as )  
subrogee of SURFSIDE CONDOMINIUM )  
ASSOCIATION, )

Plaintiff, )

v. )

BROAN-NUTONE, LLC, )

Defendant. )  
\_\_\_\_\_)

**DEFENDANT BROAN-NUTONE LLC'S  
MOTION TO COMPEL RESPONSES TO DISCOVERY REQUESTS**

Broan-NuTone LLC ("Broan") moves pursuant to Fed. R. Civ. P. 37(a) and Local Rule 37.1(B) for an order compelling plaintiff Seneca Insurance Company ("Seneca") to produce answers to interrogatories and responses to a request for production of documents served upon it by Broan pursuant to Fed. R. Civ. P. 33 and 34.

As grounds, Broan-Nutone LLC relies upon the reasons set forth in its supporting Memorandum that accompanies this Motion.

Broan-NuTone LLC,  
by its attorneys,

/s/ Christopher A. Duggan  
Christopher A. Duggan (BBO No. 544150)  
Tamara Lee Ricciardone (BBO No. 562203)  
SMITH & DUGGAN LLP  
Lincoln North  
55 Old Bedford Road  
Lincoln, MA 01773  
(617) 228-4400

Dated: January 24, 2007